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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,950	08/20/2003	Michel Deal	033818-008	5426

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EXAMINER

STORMER, RUSSELL D

ART UNIT	PAPER NUMBER
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3617

DATE MAILED: 04/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/643,950	Applicant(s) DEAL ET AL.	
	Examiner Russell D. Stormer	Art Unit 3617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/20/03</u> . | 6) <input type="checkbox"/> Other: ____. |

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to clearly show the hook members of the collar, and the plies of the reinforcing elements which are parallel and crossed over. The angles of 30 degrees to 65 degrees are not shown as described in the specification. The sides and corner regions of the device, such as at 202, 210, 21, and 34 are poorly shown and details of the construction are unclear.

Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

1. The abstract of the disclosure is objected to because of the use of the legal terms "said" and "at least two." Further, the use of the phrase "element of the same name" does not provide a clear description of the invention as required in an abstract.

Correction is required. See MPEP § 608.01(b).

2. The disclosure is objected to because of the following informalities: The term "said" should be used in the specification. See at least lines 2, 3, 13, 26, and 29, for instance.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: There is no antecedent basis for an embodiment in which the tire has more than two beads as set forth in claim 1 by the use of the term "a tire with at least two beads..." in the preamble. If Applicants intend to cover such an embodiment, then it must be properly disclosed.

Claim Objections

4. Claims 1-3 are objected to because of the following informalities: The use of the term "the said" is confusing and redundant and should be changed to - -said- -. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1 it is not clear how a tire with more than two beads could be mounted on the collar which has only two bead seats.

In claim 1 the "blocking element" is inferentially claimed and it is not clear where this element is disposed, or if it is part of the invention. "The complementary element"

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lacks antecedent basis. The term "element of the same name" is indefinite and should be spelled out in the claims. The term "similar" is indefinite because it is not clear how much the same or different the elements must be to be similar. The term "with the standards in force" is indefinite as it is not clear what they would be, and if the standards change it is not clear what would comprise the new parameters of the claim.

In claim 2 the term "which may be between" is indefinite and it is not clear what the angles of the collars would be. Further, it is not clear how the at least two plies can be parallel and also crossed over as set forth in claim 2.

In claim 3 the "edges of the rim" lacks antecedent basis.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7. Claims 1 and 2 are rejected under 35 U.S.C. 102(a) as being anticipated by Bestgen (WO 00/78565).

The rolling assembly shown in figure 1 of Bestgen compromises a tire, a collar A made of a polymeric material and including reinforcing rings 25 and comprising left and right collar members, hook members 20 having a bead seat, and a blocking element at 22 fitted in an element of the same name 31 in the rim.

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With respect to claim 2, at least two plies of reinforcement elements 21, 24, 26 are provided. The elements cross over as they wrap around the cord 23.

Allowable Subject Matter

8. Claim 3 would appear to be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references show other rolling assemblies.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell D. Stormer whose telephone number is (703) 308-3768. The examiner can normally be reached on Monday through Friday, 9 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joe Morano can be reached on (703) 308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

4/14/04


RUSSELL D. STORMER
PRIMARY EXAMINER 4/14/04